

DECISION



THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D.C. 20548

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FILE: B-184559

DATE: August 7, 1975

MATTER OF: Prineville-Crook County Chamber of Commerce

DIGEST:

Protest against possible award to firm which was not selected for award is academic and, therefore, not for consideration. Moreover, protest against submission of bid by particular bidder, first raised almost four weeks after bid opening, is untimely under Bid Protest Procedures, § 20.2 (b)(2) which requires that protests be filed not later than 10 days after basis for protest is known or should have been known.

By letter dated July 8, 1975, the Prineville-Crook County Chamber of Commerce (P-C) indicated its opposition to the acceptance of Astoria Plywood (Astoria) as an acceptable bidder on the Payton Timber Sale, held June 23, 1975. It is P-C's belief that either award to or bidding by Astoria should be proscribed in view of the economic repercussions caused thereby.

We note, however, that Astoria was not the successful bidder under the Payton Timber Sale, nor was the fact that Astoria had bid under the sale protested to our Office until almost four weeks after the bid date. Therefore, P-C's first contention appears to be academic and its second to have been untimely raised under our Bid Protest Procedures, 40 Fed. Reg. 17979 (1975), which reads at § 20.2 (b)(2), in pertinent part, that " * * * bid protests shall be filed not later than 10 days after the basis for protest is known or should have been known, whichever is earlier."

Accordingly, our Office must decline to consider P-C's protest on its merits. We are, however, by letter of today, forwarding P-C's letter of protest to the Secretary of Agriculture for consideration in future timber sales of this nature.

Paul G. Dembling
Paul G. Dembling
General Counsel